

**UNITED STATES DISTRICT COURT
DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA
Plaintiff

v.

Case Number 4:06cr3153-001

USM Number: Not applicable

CHIEF ETHANOL FUELS, INC.
Defendant

David Everson

Defendant's Attorney

JUDGMENT IN A CRIMINAL CASE
(For Offenses Committed On or After November 1, 1987)

THE DEFENDANT pleaded guilty to count I of the Information on 10/25/06.

ACCORDINGLY, the court has adjudicated that the defendant is guilty of the following offense(s):

<u>Title, Section & Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
33:1319(c)(1)(A) and 18:2 CLEAN WATER PERMIT VIOLATION	August, 2003	I

The defendant is sentenced as provided in pages 2 through 3 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

IT IS ORDERED that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant shall notify the court and United States attorney of any material change in the defendant's economic circumstances.

Date of Imposition of Sentence:
October 25, 2006

s/ Richard G. Kopf
United States District Judge

October 27, 2006

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PROBATION

The defendant is hereby sentenced to probation for a term of **1 Year**.

The defendant shall not commit another federal, state, or local crime.

If this judgment imposes a fine or a restitution obligation, it shall be a condition of probation that the defendant pay any such fine or restitution in accordance with the Schedule of Payments set forth in the Criminal Monetary Penalties sheet of this judgment.

The defendant shall comply with the following conditions that have been adopted by this court (set forth below). The defendant shall also comply with any additional conditions.

SPECIAL CONDITIONS OF SUPERVISION

1. Chief Ethanol Fuels, Inc. will continue to work with the Nebraska Department of Environmental Quality (NDEQ) in monitoring its discharges into the Blue River. The United States Probation Office, alone or in conjunction with NDEQ, may monitor the discharge and compliance with the permit.
2. Chief Ethanol Fuels, Inc. will continue to work with the NDEQ Waste Water Section regarding the current and future operation of sledge lagoons at the Hastings facility.
3. Chief Ethanol Fuels, Inc. will make a One Hundred Thousand Dollar (\$100,000) charitable contribution to Rowe's Sanctuary, near Gibbon, Nebraska, so that the sanctuary may continue its educational efforts to teach children the importance of preserving the ecological system. The contribution will be made within one week of the time of sentencing and will not be carried as a deductible contribution for tax purposes.
4. Chief Ethanol Fuels, Inc. will not commit another federal, state, or local crime during the term of probation.

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CRIMINAL MONETARY PENALTIES

The defendant shall pay the following total criminal monetary penalties in accordance with the schedule of payments set forth in this judgment.

Total Assessment

\$125.00 (PAID)

Total Fine

\$100,000.00 (PAID)

Total Restitution

FINE

A Fine in the amount of \$100,000.00 is imposed.

The defendant shall pay interest on any fine or restitution of more than \$2,500, unless the fine or restitution is paid in full before the fifteenth day after the date of the judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options in the Schedule of Payments may be subject to penalties for delinquency and default pursuant to 18 U.S.C. § 3612(g).

RESTITUTION

No restitution was ordered.

CLERK'S OFFICE USE ONLY:

ECF DOCUMENT

I hereby attest and certify this is a printed copy of a document which was electronically filed with the United States District Court for the District of Nebraska.

Date Filed: _____

DENISE M. LUCKS, CLERK

By _____ Deputy Clerk